

Senate Study Bill 3028

SENATE/HOUSE FILE _____
BY (PROPOSED DEPARTMENT OF
PUBLIC SAFETY BILL)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act requiring health professionals to provide peace officers
2 access to certain injured persons involved in motor vehicle
3 accidents.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
5 TLSB 5375XD 81
6 jm/cf/24

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1 1 Section 1. NEW SECTION. 147.113B ACCESS TO PERSON
1 2 INJURED.
1 3 1. Any person licensed under the provisions of this
1 4 subtitle who administers any treatment to a person with
1 5 injuries resulting from a motor vehicle accident shall provide
1 6 a peace officer access to the injured person if the officer is
1 7 investigating the accident. A peace officer shall be provided
1 8 access to the injured person as soon as reasonably possible
1 9 without interfering with medical care necessary for the
1 10 preservation of life, regardless of whether the person
1 11 receiving treatment has requested to have information
1 12 pertaining to their presence for treatment kept confidential.
1 13 2. Any provision of law or rule of evidence relative to
1 14 confidential communications is suspended insofar as the
1 15 provisions of this section are concerned.
1 16 3. If access to the injured person receiving treatment
1 17 interferes with medical care necessary for the preservation of
1 18 life, or if the injured person has been pronounced dead, the
1 19 licensed person administering treatment, or the licensed
1 20 person's designee, shall inform the peace officer requesting
1 21 access to the injured person that ongoing treatment is
1 22 medically necessary to preserve the injured person's life, or
1 23 that the injured person has died.
1 24 4. Any person licensed under this subtitle who administers
1 25 treatment to the injured person, or the licensed person's
1 26 designee, shall provide the peace officer investigating the
1 27 accident with the name, date of birth, address, and other
1 28 identifying information of the injured person to the extent
1 29 the identifying information is known, regardless of whether
1 30 the peace officer was denied access to the injured person
1 31 under this section.

EXPLANATION

1 32 This bill requires physicians and other health
1 33 professionals to provide peace officers access to certain
1 34 injured persons involved in motor vehicle accidents.
2 1 Under the bill, a physician or other health professional
2 2 shall provide a peace officer access to an injured person if
2 3 the officer is investigating a motor vehicle accident in which
2 4 the person was involved. The bill provides a peace officer
2 5 shall be provided access to the injured person as soon as
2 6 reasonably possible without interfering with medical care
2 7 necessary for the preservation of life.
2 8 If the peace officer is denied access to the injured person
2 9 under the bill, the health professional or the health
2 10 professional's designee shall inform the peace officer that
2 11 ongoing treatment is medically necessary to preserve the
2 12 injured person's life, or that the injured person has died.
2 13 Under the bill, the health professional or the health
2 14 professional's designee shall also provide the peace officer
2 15 with the injured person's personal identifying information to
2 16 the extent possible, including the injured person's name, date

2 17 of birth, and address.

2 18 Any provision of law or rule of evidence relative to
2 19 confidential communications under the bill is suspended.

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